

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**BENITO VARGAS,**

**Plaintiff(s),**

**CASE NUMBER: 07-10602**

**HONORABLE VICTORIA A. ROBERTS**

**v.**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant(s).**

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On January 3, 2008, Magistrate Judge Charles E. Binder submitted a Report and Recommendation (Doc. #14) recommending that the Court DENY Plaintiff's Motion for Summary Judgment (Doc. #10) and GRANT Defendant's Motion for Summary Judgment (Doc. #13). Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. §636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. The Court, therefore, **DENIES** Plaintiff's Motion for Summary Judgment and **GRANTS** Defendant's Motion for Summary Judgment.

**IT IS ORDERED.**

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: January 23, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on January 23, 2008.

s/Carol A. Pinegar \_\_\_\_\_  
Deputy Clerk